

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IHOR LEVYTSKY,

Plaintiff,

v.

MEDITERRANEAN SHIPPING CO., MSC
SHIPMANAGEMENT, LTD., BALTIC
EAST SHIPPING, LTD., and M/V MSC
SHRISTI (IMO 9293442), *in rem*,

Defendants.

Civil Action No. 2:24-cv-00396-RSM

**STIPULATED MOTION AND ORDER
TO VACATE INITIAL CASE
DEADLINES**

NOTE ON MOTION CALENDAR:
JULY 1, 2024

STIPULATED MOTION

Plaintiff Ihor Levytsky (“Plaintiff”) and, making Limited Appearance, Defendants Mediterranean Shipping Company Limited (erroneously sued as Mediterranean Shipping Co.), MSC Shipmanagement, Ltd., Baltic East Shipping, Ltd., and *in rem* Defendant vessel M/V MSC SHRISTI (IMO number 9293442) (“Defendants” and, jointly with Plaintiff the “Parties”), by and through their respective counsel, hereby stipulate to and jointly request that the Court enter the subjoined Order vacating the initial case deadlines as set by this Court’s Order of May 2, 2024 pending the Court’s decision on Defendants’ Motion to Dismiss Complaint (“Motion to Dismiss”). Dkt. 6. In support of this request, the Parties state as follows:

1. On April 15, 2024, Defendants entered a Notice of Limited Appearance. Dkt. 5. Defendants enter into this Stipulation subject to, and without prejudicing, their Limited

1 Appearance and without waiver of any claims, defenses, or challenges to jurisdiction, particular to
2 this Court's personal jurisdiction over Defendants and the adequacy of Plaintiff's Process or
3 Service of Process.

4 2. On May 21, 2024, Defendants filed a Motion to Dismiss pursuant, in part, to
5 Federal Rules of Civil Procedure ("FRCP") 12(b)(2),(4), (5), and the doctrine of Forum Non
6 Conveniens. Dkt. 6.

7 3. On June 11, 2024, Plaintiff filed his Opposition to Defendants' Motion to Dismiss.
8 Dkt. 12.

9 4. On June 18, 2024, Defendants filed their Reply to Plaintiff's Opposition. Dkt. 14.

10 5. At this time, Defendants' Motion to Dismiss is now fully before this Court for its
11 consideration.

12 6. This Court set certain initial case deadlines by Order of May 2, 2024 which may
13 require the Parties to take actions prior to this Court's ruling on Defendants' pending Motion to
14 Dismiss, including an FRCP 26(f) Conference deadline set for July 8, 2024, an Initial Disclosure
15 Deadline of July 15, 2024, and a Joint Status Report filing deadline of July 22, 2024. This Court's
16 ruling on the Motion to Dismiss will impact whether and how the Parties respond to these
17 deadlines. The Parties therefore agree that it will serve judicial economy and avoid unnecessary
18 cost if these deadlines are stayed pending the Court's decision on Defendants' Motion to Dismiss.

19 7. The Parties hereby stipulate and respectfully request that this Court vacate the
20 schedule set by the Order of May 2, 2024 and revisit such schedule if necessary once it has ruled
21 on Defendants' pending Motion to Dismiss.

22 IT IS HEREBY STIPULATED this 1st Day of July 2024.
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1 DATED this 1st day of July, 2024

DATED this 1st day of July, 2024

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11 *I certify that this memorandum contains*
12 *398 words in compliance with the Local Civil Rules.*

ORDER

The Court, having reviewed the foregoing stipulated motion by the Parties, and being fully advised in the premises herein, it is hereby ORDERED, ADJUDGED and DECREED as follows:

The initial case deadlines as set by this Court's order of May 2, 2024 are hereby vacated and will be re-evaluated upon this Court's decision on Defendants' pending Motion to Dismiss Complaint.

DATED this 2nd day of July, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

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